

P26831.A02



Serial No.: 09/683,836

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

*In re* Patent Application of:

Docket No.:P26904

James BRUCE, et. al.

Conf. No: 9685

Serial No:09/683,836

Group Art Unit:2625

Filed: February 21, 2002

Examiner: John B. Strege

For: **MASK DEFECT ANALYSIS SYSTEM**

Commissioner for Patents  
U.S. Patent and Trademark Office  
Customer Window, Mail Stop Amendment  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

**SUBMISSION UNDER 37 C.F.R. § 1.114**

Sir:

In response to the **Final Office Action** mailed July 12, 2005 ("Office Action"), Applicants respectfully request reconsideration of the application in view of the following Amendments and Remarks. If extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned for under 37 C.F.R. § 1.136(a).

Applicants believe that no further fees for net addition of claims are required at this time. Any fees required for further extensions of time and any fees for the net addition of claims are hereby authorized to be charged to **IBM Deposit Account No. 09-0456** (Burlington).

Amendments to the claims begin on page 2 of this response.

Remarks begin on page 9.

HJFC

**SEP 12 2005 REQUEST FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

Subsection (b) of 35 U.S.C. §132, effective on May 29, 2000, provides for continued examination of a utility or plant application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

<b>Application Number</b>	09/683,836
<b>Filing Date</b>	February 21, 2002
<b>First Named Inventor</b>	James BRUCE et al.
<b>Group Art Unit</b>	2625
<b>Examiner Name</b>	John B. Strege
<b>Attorney Docket Number</b>	P26831

This is a Request for Continued Examination (RCE) under 37 C.F.R. §1.114 of the above-identified application.

**NOTE:** 37 C.F.R. §1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. §1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000) which established RCE practice.

**1. Submission required under 37 C.F.R. §1.114**

- a.  Previously submitted
  - i.  Consider the amendment(s)/reply under 37 C.F.R. §1.116 previously filed on (Any unentered amendment(s) referred to above will be entered.)
  - ii.  Consider the arguments in the Appeal Brief or Reply Brief previously Filed on
  - iii.  Other:
- b.  Enclosed
  - i.  Amendment/Reply
  - ii.  Affidavit(s)/Declaration(s)
  - iii.  Information Disclosure Statement (IDS)
  - iv.  Request for Extension of Time
  - v.  Other:

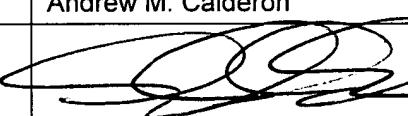
**2. Miscellaneous**

- a.  Suspension of action on the above-identified application is requested under 37 C.F.R. §1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; fee under 37 C.F.R. §1.17(i) required)
- b.  Other: \_\_\_\_\_

**3. Fees** The RCE fee under 37 C.F.R. §1.17(e) is required by 37 C.F.R. §1.114 when the RCE is filed.

- a.  Check in the amount of \$\_\_\_\_\_ enclosed.
- b.  If payment in the appropriate amount is not enclosed, the U.S. Patent and Trademark Office is hereby authorized to charge any fees required by this paper, including the RCE fee required under 37 C.F.R. §1.17(e), any extension of time fees (37 C.F.R. §§ 1.136 and 1.17) necessary to render the RCE timely, and any suspension fee or credit any overpayments, to Deposit Account No. 09-0456

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type)	Andrew M. Calderon	Registration No. (Attorney/Agent)	38,093
Signature		Date	9/12/05

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service as a first class mail in an envelope addressed to: Commissioner For Patents, Mail Stop RCE, PO Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on:

Name (Print/Type)			
Signature		Date	